

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
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2005 FEB 15 P 1:18

U.S. DISTRICT COURT
DISTRICT OF MASS.

ING LIFE INSURANCE AND ANNUITY
COMPANY

Plaintiff,

v.

KUMBIRAI CHIWARA USHE,

FIDES PERDITA USHE AS MOTHER
AND NATURAL GUARDIAN OF
KUMBIRAI CHIWARA USHE,

ZVIDZAI G. USHE,

DUMAZILE Z. USHE,

NTOMBIZODWA KUMALO-USHE
(LAST SPOUSE OF SAMSON CHIWARA
USHE), individually and as Administratrix
of the ESTATE OF SAMSON CHIWARA
USHE

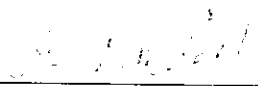
Defendants.

CIVIL ACTION NO. 1:04-11571-GAO

**PLAINTIFF'S MOTION TO TRANSFER FUNDS
INTO AN INTEREST-BEARING ACCOUNT**

Interpleader Plaintiff ING LIFE Insurance And Annuity Company ("ING"), through its counsel, was informed today by the cashier of the civil clerk's office that a judicial order is required in order to have a interpleader fund deposited into an interest-bearing account. Accordingly, ING hereby moves to have this Honorable Court enter an order that the interpleader fund deposited in the court registry in this action be deposited by the civil clerk cashier in an interest-bearing account immediately.

Respectfully submitted,
Interpleader Plaintiff,
ING Life Ins. & Annuity Co.

By  _____

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LOCAL RULE 7.1(A)(2) CERTIFICATE

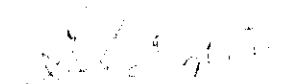
I hereby certify that this motion requests court action sought by all parties, and that they are resolved in support of this motion.



Gabriel D. M. Ciociola

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon all counsel of record or unrepresented parties by first class mail, postage pre-paid on February 15, 2005.



Gabriel D. M. Ciociola